

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>IN RE: PROCESSED EGG PRODUCTS ANTITRUST LITIGATION</b>	: : : : : :	<b>MULTIDISTRICT LITIGATION</b>
<b><i>THIS DOCUMENT APPLIES TO ALL ACTIONS</i></b>	: : : : : :	<b>No. 08-md-2002</b>

**CASE MANAGEMENT ORDER NO. 24**

**AND NOW**, this 18th day of October, 2017, upon consideration of the parties' separate proposals regarding the scheduling of future deadlines for this litigation, including as addressed with counsel during the case management conference, the joint letter from parties dated October 10, 2017, and the conference call with the parties on October 16, 2017, it is **hereby ORDERED** that trial for the Direct Purchaser Plaintiffs shall proceed pursuant to the following schedule:

**I. PRETRIAL PREPARATION SCHEDULE**

**A. Motions *in Limine***

1. The parties shall file any motions *in limine* on or before **February 16, 2018**.
2. The parties shall file responses to motions *in limine*, if any, on or before **March 2, 2018**.
3. Oral argument on the motions *in limine* will be held on **March 13, 2018, at 10:00 a.m.** in Courtroom 10B, United States Courthouse, 601 Market Street, Philadelphia, Pennsylvania 19106.

**B. Exchanging Materials Prior to Filing Deadlines with the Court**

1. Counsel shall work together to develop and agree to a schedule for exchanging, *inter alia*, proposed witness and exhibit lists, deposition designations, proposed stipulations and uncontested facts. These must all be exchanged on or before **February 15, 2018**. If the parties wish, they may submit a stipulation, agreed to by all parties, detailing a schedule for exchanges among the parties in advance of this deadline.

**C. Proposals and objections**

1. The parties shall file proposed (a) voir dire questions (b) jury instructions, (c) verdict forms and (d) a joint statement of the case on or before **March 30, 2018**.
2. The parties shall submit objections to the proposed exhibits and deposition designations or counter-designations on or before **March 30, 2018**.

**D. Final Pretrial Order**

1. The parties shall file a proposed Final Pretrial Order (proposed drafts having been exchanged by April 18, 2018) in accordance with Local Rule 16.1(d)(2), on or before **April 18, 2018**.

**E. Final Pretrial Conference**

1. A Final Pretrial Conference will be held on **April 25, 2018 at 10:00 a.m.** in Courtroom 10B, United States Courthouse, 601 Market Street, Philadelphia, Pennsylvania 19106.

**II. TRIAL**

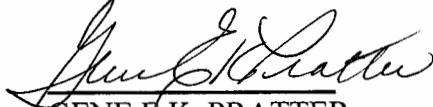
- A. The Court concludes convenience and judicial economy in this litigation will be best served with the Direct Purchaser Class (DPPs) and the Direction Action Plaintiffs (DAP) cases tried separately as to both liability and any damages. The trials will be bifurcated.
- B. The DPP liability phase is scheduled for a jury trial beginning **May 2, 2018 at 9:30 a.m.** in Courtroom 10B, United States Courthouse, 601 Market Street, Philadelphia, Pennsylvania 19106.
- C. The DPP damages phase (if any) will be held before the same jury on **May 22, 2018. at 9:30 a.m.** in Courtroom 10B, United States Courthouse, 601 Market Street, Philadelphia, Pennsylvania 19106.
- D. The DAP pre-trial and trial schedules shall be set for later in calendar year 2018.<sup>1</sup>

---

<sup>1</sup> At the October 16, 2017 conference call, the Direct Action Plaintiffs proposed to join motions *in limine* and pretrial issues for both the DAP and DPP trials pursuant to this timeline. The Court declines to go down that path, which would increase complexity and coordination among different issues, theories and defendants. After the conclusion of the DPP trial, a new case management order will be issued for the DAP trial.

***It is so ORDERED.***

MDL 08-  
BY THE COURT: md-2002

  
\_\_\_\_\_  
GENE E.K. PRATTER  
United States District Judge